

Soldiers' Home in Holyoke Board of Trustees Meeting

A meeting of the Board of Trustees of the Soldiers' Home Holyoke (HLY) was held in person, virtually and telephonically on Tuesday, November 9, 2021. The meeting began at 5:33 PM.

Members Present:

Gary Keefe, Chairman; Carmen Ostrander, Cindy Lacoste, Sean Collins

Board Members via WebEx:

Isaac Mass, Kevin Jourdain (who joined later in the meeting)

Board Members Not Available:

Mark Bigda

Also Present:

Sharon Boyle, General Counsel (EHS); John Cronin, Chief Financial Officer (DVS); Matt Deacon, Legal Counsel (DVS); Diane Dietzen, CMO (HLY); Robert Engell, Interim Administrator (HLY); Debra Foley, Communications (HLY); Michael Lynch, CFO (HLY); Kelly Hansen, Quality Manager (HLY); Michael Lazo, Interim Superintendent (HLY); Caitlin Menard, Director of Social Services (HLY); Cheryl Poppe, Secretary, Department of Veterans Services (DVS); Mark Yankopoulos, Legal Counsel (HLY), Brooke Leahy, Chief of Staff, Department of Veterans Services; and Nancy Shimel, Recording Secretary (HLY).

Roll Call:

Chairman Keefe conducted a Roll Call as follows: Chairman Keefe (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), and Sean Collins (Yes). Kevin Jourdain was not present during roll call as he joined meeting after it was called.

Pledge of Allegiance - All present recited the Pledge of Allegiance.

Approval of Minutes:

Upon motion by Trustee Lacoste and seconded by Trustee Collins it was unanimously VOTED to accept the unamended minutes of the regular Board Meeting held on October 12, 2021 and the special Board Meeting held on October 19, 2021.

Public Comment:

No one requested to make public comment.

CFO/Treasurer Report (Mr. Lynch):

Mr. Lynch shared that the trustee fund saw donations in the amount of \$4,050 for the month. Expenses for the month of October included entertainment, bingo, subscription for IN2L, and the veteran fleeces that were approved at our last meeting. Thank you for your continued support of these events. The previously approved wire transfer of \$270,000 was finalized and funds have been transferred to UBS.

Staff are continuing to engage in educational opportunities and I am excited about the future of the Home and its financial team. The Home is currently working on several projects, including new building construction meetings, and potential enhancement and COVID-19 screening projects. The biggest update which you will hear more about in the Finance Committee update is the completion of the FY22 Trustee Fund Spending Plan. After discussion over multiple meetings, the Finance Committee agreed on this submission for the Board's review and vote. The spending plan is attached for your reference and represents a spending plan of \$100,000 for FY22. This exercise included historical and current analysis as the Home continued to "open up" and more events take place. Highlights of the spending plan include usual expenses such as entertainment, bingo, supplies, events such as the Trustee picnic and supplies for Halloween, and future purchases like QuickBooks and supplies for activities to be created by the newly hired volunteer coordinator. Legacy Reserve is for unbudgeted items like EMR or

a safety reserve. All expenditure requests will continue to flow to the Finance Committee/Board depending on threshold. Any spending plan adjustment will be requested in the same format.

Trustee Keefe commended the Finance Committee for pulling this together. In the 8 months that our new CFO, Michael Lynch, has been here he has done a great job. We are moving in the right direction. Thank you for what you and the Finance Committee have done so far.

DVS Staff Report (Secretary Poppe):

Secretary Poppe expressed thanks to all during Veterans Week. Tomorrow is the Marine Corps birthday. I'd like to share that we are moving forward with the Governor's Challenge to prevent suicide among veterans, service members and families. We are working on military culture awareness training on 11/19/21. It is focused on clinicians. If anyone is interested in attending, please reach out and we can share the link. We also have the Women Veterans' Network Conference on Saturday, 11/13/21 at 10:00am in Dunn State Park in Gardner, MA. This will be followed by a series of webinars on self-care.

We have some personnel changes in DVS. I would like to introduce Linnea Walsh, Communications Director. Ms. Walsh will also be working on governmental relations as well. We are happy to have her on board. Eric Sheehan, Assistant Secretary for State Homes, is no longer with DVS. Robert Engell, who has been on-site at the Soldiers' Home in Holyoke, has stepped into the acting role for that position. Mr. Engell will still be on-site at the Soldiers' Home in Holyoke to provide licensed expertise at the Home for at least 2 days per week.

There are several things happening in the community relative to Veterans Day. The cemeteries in Winchendon and Agawam are holding ceremonies on 11/11/21, with Winchendon at 9:00am and Agawam at 1:00pm.

Trustee Mass stated that Secretary Poppe indicated that Mr. Engell will now be on-site at the Soldiers' Home in Holyoke (SHH) 2 days per week, how does that compare to his previous time there? Secretary Poppe stated that Mr. Engell was at the SHH 5 days a week previously. In Mr. Engell's new role, he will spend some time at the Chelsea Soldiers' Home. I want to assure you that he will still be on-site at the SHH at least 2 days per week for the near distant future. Trustee Mass inquired how long that will last? Secretary Poppe stated that is unsure at this time. Trustee Mass voiced that he is concerned that there will only be a Licensed Nursing Home Administrator (LNHA) on-site in Holyoke 2 out of 7 days per week. I have a problem with that, as the interim superintendent is not a LNHA himself. I think it would be better to find someone in a different role or bring someone else in to provide the LNHA. I think we need a full-time LNHA at the SHH. I think that is what is required. I think this is a bad choice to make.

Trustee Mass stated that it has been 6 months since the Boston Globe spotlight report on SHH, which had very different findings than the Pearlstein report. I have not seen any response. Do you anticipate providing a response? Secretary Poppe stated that she does not anticipate a response at this time. Trustee Mass inquired if the Boston Globe report is accurate? Secretary Poppe stated that she is not going to respond to reports by news outlets. Trustee Mass stated that the report was critical of Ms. Catherine Starr, who is involved in the hiring process for the new superintendent. If the report is accurate, this presents a problem that we need to address, and I would like to see a response. Chairman Keefe pointed out that we have a subcommittee formed working with EOHHS Human Resources on this. Chairman Keefe questioned Trustee Mass' motivation for bringing up a 6 month old article. Trustee Mass stated that we have a fiduciary responsibility to the veterans and community to have an accurate public accounting of what happened at the Home. Chairman Keefe stated that he does not believe that the Boston Globe is the body we owe any answer to as a Board or from EOHHS. Trustee Mass stated that the people we owe an accounting to are the citizens of the Commonwealth. They all read the report and the findings are very different and to date, have not been refuted by the

administration. No member of administration has said that the Boston Globe report is inaccurate. It is very different from the Pearlstein report and I would like to know as a trustee if the report is accurate. Ms. Starr is alleged to have made poor decisions and is still actively involved in the hiring process for the superintendent. Chairman Keefe stated that he does not count the Boston Globe as a refutable agency – the Pearlstein report was very different – it was an unbiased report. It's not like the Boston Globe doesn't have an agenda. Trustee Mass stated that he would like to know the facts, one of which is that the Pearlstein report was not impartial and independent. I have an obligation to determine what actually happened at SHH so we have a historical accounting, and moving forward, will not make the same mistakes. No one has indicated publicly or privately that it is inaccurate. Chairman Keefe noted that we have many investigations going on – three impartial investigations that will provide us with answers. It is not up to the agency or the trustees to respond to a for-profit media. Trustee Mass stated the he has a responsibility as a trustee to ask questions of the department. We have the Pearlstein and Boston Globe reports – this has been pushed to the subcommittee where I cannot ask, so I am now asking this of the DVS director. Chairman Keefe inquired if Trustee Mass volunteered to be on the superintendent hiring subcommittee, to which Trustee Mass stated he did not, but that does not relieve him of asking the questions he needs to ask. Chairman Keefe noted that Trustee Mass had the opportunity to be this subcommittee, and he will rely on the subcommittee to speak with Ms. Starr. Chairman Keefe inquired as to what generated this subject from Trustee Mass, with Trustee Mass stating that it is because it has been 6 months since the Boston Globe report and he has been waiting for the opportunity. He believes the process has gone too slow for hiring a new superintendent. I believe we have an interim superintendent who is not qualified and is not a LNHA and it is being reported to us that the interim administrator is being diverted to other activities. I am looking to hear more and if I have reason to be concerned. Trustee Ostrander inquired if there have been any events again since what happened at the SHH with the multiple deaths? Trustee Mass stated that no there had not, but just because tragedy has not again occurred does not mean we don't need to be fully prepared and we need a LNHA at the home. Doing better isn't doing the best. Trustee Ostrander noted that it's a sprint, not a marathon and we are taking small steps to succeed. She wished to note that it is disrespectful for Trustee Mass to say that the interim superintendent is unqualified, noting that for a person who wore a military uniform, it's extremely disrespectful. Trustee Collins added that from his perspective, if Trustee Mass has an issue with Ms. Starr and DVS, then that should be taken off-line with them. With the LNHA, yes we have some challenges with that, but to say Mr. Lazo is not qualified because he does not have a license, I disagree. It is not a requirement to be the superintendent. We will figure this out and work as a team. You have battles to fight – please stop from distracting from meetings. I am a volunteer, as you are, but don't wish to spend two hours talking about things nonsensical. Trustee Mass apologized if anyone feels disrespected. I am surprised that the members of the Board have not read the Boston Globe article. I will send a copy to the Trustees. Trustee Collins stated that this is not relevant. You state that you don't want to be disrespectful, but I will not tolerate it. Trustee Mass stated that he is trying to determine if the Boston Globe report is correct or incorrect. I can only ask who has the information – administration – the people named in the report. This is a public body and we have work to do, and part of that is to make sure we know what happened. The choice is to not give an answer. I have concerns, not only related to the Boston Globe piece, but with the last hiring practice that failed. This does not keep me from participating in the process. Chairman Keefe stated that the Boston Globe is not an impartial body. It did not conduct an impartial investigation. I'm not going to go back and read it. I'm moving forward. I put a lot of emphasis on the Pearlstein report and with the 3 other investigations being done, but not a lot of stock in the Boston Globe article. When you say you don't mean to be disrespectful, Mr. Lazo volunteered to be the interim superintendent. We have a great team here. The whole staff is new. There are a couple of new Board members. We need to get together as one team or some of us need to resign from the Board of Trustees. Trustee Mass noted that he has an appointment through the end of his term. If others want to resign, but its not going to happen with me. I am going to answer questions. Chairman Keefe requested that Trustee Mass be respectful when he does so. Secretary Poppe stated that she understands Trustee Mass' concern, but we cannot comment on the media. We cannot make public

comment on whether it is valid or not. There have been investigative bodies that we have been working with to continually make things better at the Home. That is what I can share with you. I do understand your concern but want to be helpful to the Board of Trustees to move forward. Trustee Mass inquired if it would be helpful to ask in writing without specificity? Secretary Poppe stated that matters are under investigation and we cannot comment. Attorney Deacon stated that we can review questions and make a decision on whether we can answer or not.

Holyoke Soldiers' Home Administrator/Staff Report (Mr. Lazo):

COVID:

Mr. Lazo provided an update relative to the Commonwealth Executive Order 595 on mandatory vaccination for all long-term care settings. The staff at the Home are 100% fully vaccinated. We had 3 clinical staff that chose not to be vaccinated and chose to leave the team. The handful of staff who chose not to get vaccinated has not impacted staffing in any way. Hours per patient day (HPPD) is well above the gold standard. The Home continues to have the Pfizer vaccine available to provide a third dose to veterans and staff who received the Pfizer vaccine. While this third dose is not mandatory, it is strongly encouraged. There are 95% veterans who have received the third dose, and 141 (44%) of organic staff who have received it. Staff surveillance testing from the week ending 10/29/21 showed all staff were negative. Early testing during the week of 11/1/21 identified one positive direct care staff member. Visitation for the affected unit has been closed and PPE protocols increased. There were 3 rounds of outbreak testing, which were completed on 11/8/21. We are pending results of 2 veterans, but if negative will re-open the unit.

Refresh Project:

The Refresh Project is complete on the veteran care units. The 2 South unit, which is our isolation unit, needs time to undergo construction to create negative pressure space. Since 1 North does not currently have veterans residing there, it will become the isolation unit while 2 South is under construction. DCAMM will have to go through their bidding process so they anticipate construction will begin the early part of next year. They have reached out to several contractors, who will start providing quotes for the work.

There is not an update at this time relative to the VA grant for the new Soldier's Home construction. We are moving forward with the design process on the new Home. Payette will present their quarterly brief at the January 2022 Board meeting.

Veteran's Community Meeting:

We had our first Veteran's Community Engagement Meeting yesterday. There were 10-15 VSO's and veteran organization representatives that participated. The meeting was approximately 40 minutes in length and went well. We touched on the Refresh project, the design of the new Home, outpatient department, dormitory and admissions. The next meeting will be held on 2/14/22.

Outpatient Department:

Outpatient department transitional visits are going well. The outpatient staff is doing well with contacting veterans. We are working with social work to provide the necessary support. Out of the 1,428 available veterans, 1,261 (88%) have been contacted. Out of the 1,261 contacted, 1,241 (98%) have primary care providers (PCP). We do not have contact information for 72 veterans. The Veteran's Administration has been able to assist in providing contact information for many of them and continue to provide information on a daily basis. Messages have been left for a number of veterans – pending additional follow-up. Social Work is assisting with PCPs – 20 veterans being worked with to identify PCPs, and 11 being worked with regarding dental or pharmacy. Chairman Keefe noted that great progress was made relative to the veterans for which we had no contact information, having gone from 509 to 72.

Chairman Keefe inquired on how the process is going relative to working with staff on trauma, asking about the attendance rate. Mr. Lazo reported that we have started the process to extend On-Site presence. Michael Lynch, CFO, is working on contract. When the FEMA grant expires, we will go one month before the contract is in place at the beginning of the year. I do not have specific statistics on attendance but can get that information.

Dormitory:

There are currently 11 veterans residing in the dormitory, 3 of which will come to long-term care, and 3 have homes identified. The remaining 5 have completed VASH vouchers or are on necessary wait lists.

Veteran's Day:

There will be a Veteran's Day Observance tomorrow, 11/10/21. Dunkin Donuts providing donuts for the veterans and staff. Fleece jackets with the Soldiers' Home logo will be handed out to the veterans tomorrow. Thank you to the Board of Trustees for their support of this. There will also be musical entertainment at the observance ceremony. On Thursday, 11/11/21, VFW Auxiliary will be in for coffee hour. The USO will provide refreshments in the afternoon and the UMASS acapella group will perform.

Staffing:

The Home is hiring for a Director of Nursing, a Veteran Care Coordinator, 2 night-shift nursing supervisors, and occupational health nurse, and a volunteer coordinator. As part of our employment recruitment and retention efforts, the Home has renewed relationships with colleges in the area and now has nursing students of all levels conducting clinical rotations at the Home. These partnerships help develop the next generation of Soldiers' Home staff members. We currently have 319 total employees, with 300 (95%) active employees.

Employee Performance Review System (EPRS):

At the last Board meeting, we were asked to provide an update on the EPRS completion rate. We are at 100% completion for FY21 and 100% completion for FY22 Part A. Part B will be started mid-year. Relative to providing data on ratings standards, it is a manual process to accomplish this, but can be done if the Board would like this data. I can follow-up with the Operations Committee. Chairman Keefe stated that the information most important to gather was the percentage of EPRS' that were overdue. Chairman Keefe noted that with Part A done, all goals are established, and all completed appraisals will be due in June.

Chairman Keefe inquired how things were going with the mini Management Advisory Council (MAC). Mr. Lazo reported that our version of this is the Veteran's Community Engagement Meeting, which was held yesterday and went well.

Trustee Lacoste inquired as to when new admissions will come into the Home now that the Refresh project has been completed. Mr. Lazo stated that we are still looking at admission process. Our team is currently looking at veterans appropriate to bring in. We are hoping to start admissions within the next few weeks. Trustee Lacoste inquired how many beds will be available for new admissions? Mr. Lazo stated that there will be 20-30 available. We plan to bring in 1-2 new admissions per week. Chairman Keefe asked if there has been discussion on moving residents onto 1 North. Mr. Lazo stated that 1 North is empty now and being used as an isolation unit – any admissions will be for other residential floors. We have 2-3 beds on 2 North. Trustee Lacoste inquired on hospice beds – are they being vetted to all areas? Mr. Lazo confirmed this. Trustee Lacoste inquired if veterans on hospice can be brought in too? Mr. Lazo confirmed that is correct. Ms. Hansen added that we have not flagged a certain number of hospice beds, but they are on all floors as the veterans require this service. Trustee Lacoste inquired if women veterans are in their own area? Mr. Lazo stated that we have some

on 3rd floor and some on 2 East. The individual on 3 East has sight issues so best to have her stay on the unit she is currently on.

Chairman Keefe inquired if there will be any planned holiday celebrations that the members of the Board come in to join. Mr. Lazo reported that we have an activities calendar that can be shared with the Board.

Holyoke Soldiers' Home General Counsel Report (include status of HSH Investigations) (Atty Yankopoulos)

Mr. Yankopoulos reported that our legal posture has not changed since last month. He shared that all investigations are still ongoing so I cannot comment on the details. We have had no further actions against the Home this last month. There are no current public records requests. Chairman Keefe added that Attorney Boyle expects that the Inspector General investigation would be wrapping up shortly. Mr. Yankopoulos stated that the Attorney General investigation is still open as there are cases not yet resolved. The Department of Justice inspection is expected to continue for a number of months ahead. Chairman Keefe asked if any reports have yet been provided? Mr. Yankopoulos stated that there have not.

Home's Family Advocate Committee Report (Ms. Menard)

Ms. Menard stated that neither the Family Advocacy Group nor the Veterans Advocacy Group has met since the last Board meeting. There is no Family Advocacy Group meeting in December. We have upcoming elections for the president and vice president of the Veterans Advocacy Group. There has not been anything that has not been addressed that was brought up in the last meetings. Chairman Keefe noted that we had previously talked about utilizing a minibus to assist with getting the veterans out of the facility. He inquired if there is a vehicle manager to get the status of the fleet of vehicles? We had been informed that the minibus was purchased with a donation. Do we have plan to track this and how do we get a handle on a healthier fleet? Does the Home get vehicle money every 3 years? Mr. Lynch reported that one minibus was purchased through a donation, which was facilitated through the trustee fund. Each vehicle receives maintenance and is the responsibility of the Home. All vehicles are owned. There are no active leases on any of the vehicles. It is our responsibility to make a plan for replacement of vehicles. We work with the DVS and EOHHS to start to look at replacement of vehicles. Currently in the fleet are a couple of maintenance trucks, 2 minibuses, a regular minivan and a Ford Escape SUV. Chairman Keefe asked for confirmation that there is a vehicle manager in place and will work with EOHHS on a process to rotate vehicles out for wear and tear? Mr. Lynch confirmed this.

Home's Veterans Advocate Committee Report (Ms. Menard)

See above.

Trustees' Finance Committee Report (Trustee Lacoste)

Trustee Lacoste stated that at the last Finance Committee meeting, Mr. Lynch provided the finalized budget, which is included in the Board of Trustees packet. We decided to keep the number at \$100,000 to gage how many donations come in during the year and know what we are spending every year, so we are trying to set the basis for that. I think we did a good job looking at past years expenses to make sure we are on the right page.

The Finance Committee reviewed UBS funds. We asked our financial advisor, Michael Ravosa, to put 5% in equities. Two funds have been dissolved and money returned to investors. We also made recommendation that we wait 6 months and look at reinvesting with something that works with veterans. The Trustees were provided with the UBS financial summaries. All funds are going up – 50% equity and 50% asset funds. These are working well with our advisor.

Michael Ravosa, UBS, reported that there is currently a 50/50 mix of stocks and bonds – this is challenging due to increasing volatility and inflation going up. The stock portfolio is up 20%. Our cash flow is up 9% on just the dividend raises. Our cash flow is growing – it is almost \$119,913. Dividend stocks do very well. I am excited about how we have done and have created an investment policy statement. Security selection has been tight. So far is going according to plan. Mr. Lynch added that the Finance Committee would like to continue with successful events and think about a veteran gift for the upcoming holidays. I have reached out to individuals at the Home to consider ideas. We will bring these to the Board of Trustees for consideration. Trustee Mass stated that since there is no regular Board meeting in December due to the Joint Board of Trustees Meeting with Chelsea, we may want to consider voting on the authorization of \$5,000 for the veteran gifts. Chairman Keefe made a motion to authorize the expenditure of up to \$5,000 for the purchase of veteran gifts. Trustee Lacoste seconded. All were in favor to authorize the expenditure of up to \$5,000 for the purchase of veteran gifts. Chairman Keefe commended Mr. Lynch, Mr. Ravosa and the Finance Committee. The processes put in place are strong and transparent and working well.

Trustees' Operations Committee Report (Trustee Collins)

Trustee Collins reported that the Operations Committee met on October 26th, at which there was outstanding participation on this committee from Dr. Diane Dietzen, Kelly Hansen and Michael Lazo. They are able to provide answers right off the top of their heads and are doing outstanding work. Trustee Collins reviewed the Key Performance Indicators (KPI) report, discussing that we'll need to look at how things trend over time. Relative to overtime, there was great discussion on how this is being addressed, what drives overtime, as well as the holiday schedule in relative to how the facility will be staffed during the holiday. There is clearly a good process in place.

Trustees Collins noted that the Home has had some issues with employee recruitment in general. A connection to that was what Trustee Mass had previously brought up relative to Greenfield Community college and its LPN program. The takeaway was that we need to focus on the LPN connection. I appreciate that feedback and will embrace all programs. The Home is trying to cut down on overtime and agency staff. I appreciate the great work being done around this.

Trustees Collins noted that the urinary tract infections (UTI) numbers have gone up. There is an explanation for this - when looking at 3 UTI's, there was 1 veteran who was counted as 2 infections, as his infection did not get better. The fact that the team has answers readily available for discussion tells me that they are staying on top of these things.

Trustee Collins noted there have been discussions with other Trustees on the symptoms of depression and medications used to treat depression, seasonal affective disorder and how we track and come to a diagnosis of depression. There are MDS forms completed as well as forms done by the Social Work team. They are frequently assessing veterans to ensure they are getting the best treatment for their current situation.

Trustee Collins stated that all medical credentials are up to date. There is no one coming due for credentials approval for some time.

Trustee Collins applauded group, noting that Michael Lazo is keeping a tracking sheet upon my request, keeping any open items from any inspections with items that they are addressing and what the is the action plan. The Home is being inspected and audited. The one thing I mentioned is relative to the VA inspection. Out of 174 criteria, the Home only had 15 criteria that did not meet standards. This is a pretty good outcome. Those 15 criteria are being tracked on a tracking sheet to see the action plan. These are followed up on at the Operations Committee and are available for the Trustees to review. To give an example, a veteran resident wasn't meeting highest practice relative to pain. The team at the Home put together a great action plan. They have a pain management team that meets

monthly putting new scales to address that deficiency. There has been incredible work that's being done to address this.

Trustee Collins reported relative to the Life Safety Fire Drill. Michael Lazo reported that a drill was done at the dormitory, and it only took 2-3 minutes for the residents to get out of the building. Great job following up on items.

Trustee Collins reported that the Family Advocacy Group and Veteran Advocacy Group continue to have good information flowing from the groups.

Trustee Collins reported on the Pinnacle surveys. It is challenging because we will not get a strong report if they only looked at a small number of respondents. If we look at the rolling average compared to the yearly average, we are doing quite well meeting the benchmarks.

Trustee Collins reported that Michael Lazo addressed the census/waiting list, and we now have a better tracking mechanism as we start to get new admissions.

Trustee Collins stated that policies are being refreshed. We have seen no issues at this point with any policies that have come through the Operations Committee. We are reviewing the credentialing policy and have made very good progress.

Chairman Keefe asked if, relative to the exercise drill for COVID positive veterans, if there is a DPH requirement that this be held a certain number of times per year? Trustee Collins stated that we just need to have a plan and exercise it, which will be done annually. Michael Lazo added that there is no DPH requirement as to the frequency.

Chairman Keefe asked what the common problem seems to be relative to communication. Trustee Collins stated that this is drive by the Pinnacle satisfaction survey report. There are months that it is great and other months that it drags down – it is driven by family survey results. Michael Lazo added that the surveys go to a small number of families, and in some cases, we may get one score that is not positive and has no supporting details, so we don't know the particular issue to address. One bad score will skew the number. Kelly Hansen explained that it is a 1-5 score, and individuals have the ability to comment or just provide the scoring number. There are many times we just get the number. During July we had 2 individuals where communications could have been better relative to outside appointments. Dr. Dietzen has worked hard to ensure these connections are made going forward. So, when an issue is identified, we put some work behind it to improve the process. Trustee Collins stated the Ombudsman program is up and running and this many help with the communication piece as well. Kelly noted that we will be looking at new metrics starting in January 2022. If there is something collectable that you would like to see – we can try to include those metrics in the KPI metrics report.

Trustees' Bylaws Committee Report (Trustee Lacoste)

Trustee Lacoste stated that there has not been a meeting in past couple months. We are waiting on when the admission/discharge policy comes back from EOHHS to see if they have changes. Chairman Keefe inquired if Attorney Deacon can track where this is in process. Attorney Deacon stated that he has had a conversation with EOHHS legal and it is in the final stages of review and should go out to EHS general counsel shortly. Attorney Yankopoulos and myself actively engaged in edits. It will go back to the Bylaws Committee so they can see edits made by EHS.

Superintendent Hire Committee Report (Trustee Lacoste)

Trustee Collins stating the committee has reached out to both Catherine Starr and to 4 search firms to gauge their interest in working with us on the Superintendent search. Two of the firms immediately turned me down saying they could not help us fill that need. I was a bit alarmed about this and was surprised at this response. I have not yet had any verbal contact with them. I have not yet received a

response from the other 2 remaining search firms to whom we've reached out. Chairman Keefe inquired if BE Smith will meet with the subcommittee. Trustee Collins stated that he was part of the Board when BE Smith was involved with the prior Superintendent search. It would be helpful to know what we did right and what we did wrong, and how we can improve going forward with this search. Trustee Mass inquired if we are putting out an RFP for search firms to respond to? Trustee Collins stated that there has been no RFP yet, I've just been contacting search firms to see if they would have any interest. Trustee Mass inquired if anyone is developing an RFP? Chairman Keefe responded that Catherine Starr will do this. I have spoken with her, and she is looking forward to working with the subcommittee. Her priority at this time is dealing with the DPH nursing shortage relative to the state vaccine mandate compliance. Trustee Mass inquired if the firms he reached out to had any recommendations on other firms? Trustee Keefe stated that he would like to have a verbal discussion with them to see if they have recommendations for us. Trustee Mass inquired if the subcommittee is getting advice on what meetings need to be open vs. executive session in the search process? Will the other members of the Board be advised when the meetings are? Chairman Keefe stated what Ms. Starr has proposed is very different from the last time. She has really given a lot of authority to the subcommittee to pass to the Board. We still need to adhere to the law and will rely on Attorney Deacon and Attorney Yankopoulos. We will still use headhunters and will use MassCareers. Ms. Starr will ensure we follow state hiring regulation. The draft she put forward hands a lot to the Board of Trustees. Trustee Collins stated that it may be helpful if Trustee Mass could provide how he engaged with BE Smith as a guide for us to follow going forward. Trustee Mass stated that he did not engage with BE Smith. You would have to get that information from Trustee Jourdain, as he took care of that. Chairman Keefe stated that in his conversations with Ms. Catherine Starr and Secretary Poppe, BE Smith made it clear that they did not want anything to do with recruitment for this position. If we get other firms saying they are not interested, we need to figure out the issues and how to fix them.

Old Business

Update of EMR vendor contract (Mr. Engell)

Mr. Engell updated the group on the EMR project. The RFR was posted on Commbuys on 11/2/21 and we are moving forward with the process. Both superintendents have identified members to be part of a demonstration group, and we'll be moving forward with next steps. There appears to be a level of interest and we have received a number of questions. We expect the bidding process to open bids on 12/2/21.

Update on License Plate Program Initiative (Trustee Keefe)

Trustee Keefe stated that we need a sponsor for this program. I have asked the National Guard Association if they would consider sponsoring us. It goes before their Board of Trustees tomorrow, 11/10/21. The big issue is that it requires a number of signatures. We need to bond for a certain amount of funds. They are voting on the bonding issue. I anticipate that it should be fine, and if not, we can ask a veteran's association. I hope to have an answer next week and will send the information to the trustees with the next steps.

Quarterly Payette New Home Update (Mr. Lazo)

Payette is scheduled to give the trustees a quarterly update at the January 2022 Board of Trustees meeting.

Issue Addressing Board of Trustees to provide input on Superintendent & CFO/Treasurer Annual Goals and Appraisal with MassPerform and Limitations due to State Employee HR Policies (Secretary Poppe)

Secretary Poppe stated that we recognize that the Board of Trustees has governance function, but the state process is that the Human Resources department processes all personnel documents. We cannot share these documents. We can offer the Board of Trustees for their consideration, expectations of the administrator, including characteristics and qualities. I understand there is a governance role for the Board and evaluation role for the state administration. Attorney Deacon stated that we try to have a consistent evaluation process for all employees, and the superintendent is in a dual reporting role by statute. What we came up with at the last meeting seems to make the most sense – for the Board of Trustees to do their own evaluation. We can share some information on what's going on at the Home to help evaluate. Attorney Boyle stated that she agrees with Secretary Poppe in that we recognize the opportunity for the Board's input to Secretary Poppe. This would offer a way to provide your input, but ultimately the Secretary will evaluate the superintendent as a state employee. Trustee Mass inquired if, as a state employee, a superintendent has problems that have been identified by the Secretary in the evaluation process, how does the Board learn of these for the purpose of taking any action? Attorney Deacon stated that with the Open Meeting Law there is an exemption to go into Executive Session for personnel matters. That would be the proper way to do this. Trustee Mass inquired if there is a mechanism for the annual process Executive Session for briefing? I think one of the things I'd look for evaluating is how effective the superintendent is in working with administration – this is an important key. Attorney Deacon stated that you could ask this in an Executive Session. Relative to the level of detail, I would have to speak with Secretary Poppe on this, but it is permissible to call an Executive Session for Board of Trustees evaluation. Chairman Keefe stated that the Operations Committee is doing their own evaluation. As far as timing, if evaluations are due in June, do we, on an annual basis have the Operations Committee do theirs in April and then set up an Executive Session for the Board and administration to see what is matching up and come to an agreement so an appraisal can be written up in June. This will give time to see if what the Operations Committee sees is in line with what the supervisor sees. Is it legal for us to do that? Attorney Deacon stated that yes, we are comfortable within the personnel exemption of Executive Session under the Open Meeting Law. Secretary Poppe asked if the Board would be interested in seeing some of those characteristics you might want to consider as part of your evaluation? Chairman Keefe stated that the Board is willing to accept anything that can offered relative to this, even old blank evaluation forms may be helpful. Secretary Poppe to work with Attorney Deacon to finalize this and, looking at past experience, send along any blank forms.

Status of Board of Trustees Resolution in Response to H4474 and S2765 (Trustee Keefe)

Trustee Keefe reported that the resolution was signed by all the Board members and sent to Senator Michael Rush, Senator John Velis, as well as every senator and representative from the four counties of Massachusetts. I have heard back from 5. I have someone following up with the rest. I am seeking that because the State House is not open and I'm unsure how often the elected officials are checking email. There will be a hearing. I do not know the date, but Senator Velis said he would make sure we are aware of the date, and I will send the information to the trustees.

Travel of HHS/DVS, Superintendent and HSH Staff to fund attendance at Conferences

Attorney Deacon stated that there is currently a policy being reviewed relative to travel for official purposes. I have not seen the final version, but there are ongoing discussions on this. Attorney Boyle concurred with this. Trustee Mass added that there has been very effective work going on with this and expressed his thanks on this and for providing the trustees with information relative to roadblocks. There are ongoing efforts to re-evaluate this, and I look forward to the response. Mr. Lynch stated that relative to the NASVH dues, both of the Soldiers' Homes are members of NASVH. It is an eligible expense, so the Soldiers' Home in Holyoke has processed this payment out of our appropriate funding, so we are not requesting any funding from the Board of Trustees this year or in upcoming years. The upcoming winter conference is in

Alexandria, Virginia in February 2022, and the summer conference in San Diego, CA in August 2022. Chairman Keefe stated that this travel policy will focus on travel for professional development. Chairman Keefe requested that Attorney Deacon and Attorney Boyle be mindful that with the next NASVH conference in February, we would like to get this policy in place, as we would like to send 1-2 individuals to the conference. Attorney Deacon stated that he will take this discussion back to EHS.

New Business

Long Term Care Ombudsman Program Brief (Carolyn Fenn)

Carolyn Fenn, State Ombudsman, presented a PowerPoint presentation with an overview of the Ombudsman Program and its operations. Topics reviewed included NORS Complaint Data statistics, programmatic structure, host agency requirements, role of the Ombudsman, complaint investigation process, issue resolution, and resident rights,

Soldiers' Home in Holyoke Ombudsman Program Brief (Patti Spirito)

Patti Spirito, Soldiers' Home in Holyoke Ombudsman, gave an overview of her function at the Home as Ombudsman, including process, consent, information gathering and resolution follow-up process.

Chairman Keefe inquired relative to the KPI report handled by the Operations Committee, noting that one area where we are not meeting our goal is in communication response to problems. How do you as the Ombudsman get information back to a family that may be inquiring on resolution? Ms. Fenn explained that there is a circular pattern in how we proceed. Our role is to address situations, close those loops and provide a response to the complainant, while also ensuring that they understand that there may be times that they may not have the right to hear part of the resolution. Trustee Lacoste inquired on what Ms. Spirito's time is at the Home, and if she also works elsewhere? Ms. Spirito responded that works under Western MA Elder Care. She works solely for the Soldiers' Home in Holyoke and at the Home 3-4 times per week, coming in to meet with veteran residents and staff. She also does documentation and a significant amount of phone work off-site. Ms. Fenn added that Ms. Spirito also works with Joe Delaney and has gone through Ombudsman training. Eventually Ms. Spirito will look at expansion of the volunteer component, but will do so gradually, dependent on what will work best for the Home. Trustee Collins thanked Ms. Fenn and Ms. Spirito for the informative presentation, commending their great work. He stated that he was on the Ombudsman Committee, working with Attorney Deacon and Attorney Yankopoulos. He commends the group for the work they did to get the Ombudsman program in place. On behalf of the Board of Trustees, thank you for bringing the program to the Soldiers' Home in Holyoke, noting that Trustee Jourdain and Trustee Mass have been requesting this program for some time. Thank you for coming to do the presentation.

Status of Employee Evaluations and Completion/Overdue Rate (Mr. Lazo)

Mr. Lazo reported that FY21 evaluations are at 100% completion. FY22 Part A initial goal setting is also at 100% completion.

Statutory 2X Year Joint Board Meeting for Chelsea and Holyoke Boards of Trustees

Chairman Keefe stated that the proposed date for this meeting is on December 14, 2021 at 6:00 pm. Secretary Poppe has asked Mr. Engell to reach out to the Board Chairs to confirm that this time and location will work. We certainly recognize that it's a long distance from Holyoke to Chelsea so will review minutes to see what needs to be addressed as well as any other agenda topics to be added. Chairman Keefe stated that with the availability of Webex and Microsoft Teams, this will allow any of the Board members who choose to join remotely if they choose to do so. I recommend that we start the meeting at 5:00pm, rather than 6:00pm. He also inquired that given the membership on this Board is relatively new with Trustee Lacoste being the most senior member, is there any type of training that the trustees could go through that would address the mission and roles of the Board of Trustees that could be listened to by members of both Boards? Secretary Poppe stated that she is not aware of anything

specific but can either see if there is something that can be done virtually prior to the joint meeting or can be put on the agenda for discussion. If anyone would like to take a tour of the Chelsea Soldiers' Home to see the new construction, they are welcome to come a bit earlier to do so. Chairman Keefe stated that he and Trustee Lacoste would be interested in doing that. Trustee Mass stated that the Department of Higher Education has done Board trainings which include fiduciary responsibilities, purchasing info, etc. They may talk about higher education but would be the same principles. I would also like to see a license plate update on the agenda, as this would be more successful if the Chelsea Soldiers' Home joined us in the program. Chairman Keefe stated that there will not be a regular Board of Trustees meeting in December due to the scheduled joint meeting. We have exceeded our statutory requirement of 9 meetings per year. Provided that nothing requires us to have a special meeting, there will be no regular Board meeting in December.

Executive Session: No Executive Session scheduled at this meeting.

Adjourn:

Trustee Lacoste made a motion to adjourn and it was seconded by Trustee Collins. The Roll Call vote is as follows: Sean Collins (Yes), Kevin Jourdain (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), Gary Keefe (Yes). It was unanimously VOTED to conclude the meeting at 7:50 pm.

The next meeting will be a Joint Meeting of the Soldiers' Home in Holyoke Board of Trustees and the Chelsea Soldiers' Home Board of Trustees on December 14.

Respectfully submitted,

Nancy Shimel
Acting Secretary for the Board of Trustees

Attachments:

BoT-Minutes-20211019 - Special Meeting – Draft
BoT-Minutes-20211012 - Draft
LTC OMB Presentation for BOT